

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA * CIVIL ACTION NO:
VERSUS * JUDGE
RICHARD R. RICHARD * MAGISTRATE JUDGE

C O M P L A I N T

The complaint of the United States of America, appearing herein through counsel, respectfully, represents that:

1.

This Court has jurisdiction under the provisions of 28 U.S.C. §1345 in that this is an action of a civil nature on behalf of the United States of America.

2.

The defendant is a resident of Cameron, Louisiana, within the jurisdiction of this court.

3.

The defendant is indebted unto the United States of America in the amount of \$186,653.57, as more fully shown on the Certificate of Indebtedness attached hereto.

4.

The above amount is due and unpaid despite amicable demand.

WHEREFORE, plaintiff, United States of America, prays for judgment against the defendant in the amount of \$186,653.57, any penalty and/or administrative charges, plus accrued interest from February 5, 2019, to date of judgment at the rate of 2.68%, plus interest thereafter at

the legal rate until paid in full, compounded annually pursuant to the provisions of 28 U.S.C. §1961(b), as amended, together with all costs of this proceeding, including \$400.00 filing fees allowed pursuant to 28 U.S.C. §2412 (a) (2).

UNITED STATES OF AMERICA

DAVID C. JOSEPH
UNITED STATES ATTORNEY

By:/s/*Tass D. Waterston*
TASS D. WATERSTON (TX 90001809)
Assistant United States Attorney
300 Fannin Street, Suite 3201
Shreveport, Louisiana 71101
(318) 676-3600



DEPARTMENT OF THE TREASURY
BUREAU OF THE FISCAL SERVICE
WASHINGTON, DC 20227

ACTING ON BEHALF OF
U.S. SMALL BUSINESS ADMINISTRATION
CERTIFICATE OF INDEBTEDNESS

Debtor Name(s) and
Address(es):

Richard R. Richard
120 Richard Road
Cameron, LA 70631

Total debt due United States as of February 4, 2019:

Principal: \$127,679.66

Interest (@2.68%): \$ 9,482.43

Treasury and DOJ fees: \$ 49,491.48

(pursuant to 31 U.S.C. 3717(e) and 3711(g)(6) and 28 U.S.C. 527, Note)

TOTAL: \$186,653.57

I certify that the U. S. Small Business Administration (SBA) records show that the debtor named above is indebted to the United States in the amount stated above

The claim arose in connection with the debtor's August 2013 default on a \$164,600.00 SBA loan.

CERTIFICATION: Pursuant to 28 USC s 1746, I certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief based upon information provided by the U. S. Small Business Administration.

Date: 2/14/2019

Regina Crisafulli
Financial Program Specialist
U.S. Department of the Treasury
Bureau of the Fiscal Service

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS <p>(b) County of Residence of First Listed Plaintiff _____ <small>(EXCEPT IN U.S. PLAINTIFF CASES)</small></p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number)</p>		DEFENDANTS <p>County of Residence of First Listed Defendant _____ <small>(IN U.S. PLAINTIFF CASES ONLY)</small></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known)</p>																														
II. BASIS OF JURISDICTION (Place an "X" in One Box Only) <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding-bottom: 10px;"> <input type="checkbox"/> 1 U.S. Government Plaintiff </td> <td style="width: 50%; padding-bottom: 10px;"> <input type="checkbox"/> 3 Federal Question <small>(U.S. Government Not a Party)</small> </td> </tr> <tr> <td style="width: 50%; padding-bottom: 10px;"> <input type="checkbox"/> 2 U.S. Government Defendant </td> <td style="width: 50%; padding-bottom: 10px;"> <input type="checkbox"/> 4 Diversity <small>(Indicate Citizenship of Parties in Item III)</small> </td> </tr> </table>		<input type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question <small>(U.S. Government Not a Party)</small>	<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity <small>(Indicate Citizenship of Parties in Item III)</small>	III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding-bottom: 10px;"> PTF Citizen of This State </td> <td style="width: 50%; padding-bottom: 10px;"> DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State </td> <td style="width: 50%; padding-bottom: 10px;"> PTF <input type="checkbox"/> 4 <input type="checkbox"/> 4 </td> </tr> <tr> <td style="width: 50%; padding-bottom: 10px;"> Citizen of Another State </td> <td style="width: 50%; padding-bottom: 10px;"> <input type="checkbox"/> 2 <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State </td> <td style="width: 50%; padding-bottom: 10px;"> <input type="checkbox"/> 5 <input type="checkbox"/> 5 </td> </tr> <tr> <td style="width: 50%; padding-bottom: 10px;"> Citizen or Subject of a Foreign Country </td> <td style="width: 50%; padding-bottom: 10px;"> <input type="checkbox"/> 3 <input type="checkbox"/> 3 Foreign Nation </td> <td style="width: 50%; padding-bottom: 10px;"> <input type="checkbox"/> 6 <input type="checkbox"/> 6 </td> </tr> </table>		PTF Citizen of This State	DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State	PTF <input type="checkbox"/> 4 <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3 Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6																
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VI. CAUSE OF ACTION		Brief description of cause: _____																														
VII. REQUESTED IN COMPLAINT:		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.		DEMAND \$ _____	CHECK YES only if demanded in complaint: JURY DEMAND: <input type="checkbox"/> Yes <input type="checkbox"/> No																											
VIII. RELATED CASE(S) IF ANY		<small>(See instructions):</small>		JUDGE _____	DOCKET NUMBER _____																											
DATE _____			SIGNATURE OF ATTORNEY OF RECORD																													
FOR OFFICE USE ONLY																																
RECEIPT # _____		AMOUNT _____		APPLYING IFFP _____		JUDGE _____	MAG. JUDGE _____																									

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 - United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 - United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 - Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 - Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.
 - Original Proceedings. (1) Cases which originate in the United States district courts.
 - Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 - Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 - Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 - Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 - Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 - Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.